

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA

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DOCKET NOS. 2003-326-C and 2003-327-C - ORDER NO. 2004-38

JANUARY 29, 2004

|  |   |                   |
|--|---|-------------------|
| IN RE: Docket No. 2003-326-C – Analysis of | ) | ORDER AFFIRMING   |
| Continued Availability of Unbundled Local  | ) | FILING DATES AND  |
| Switching for Mass Market Customers        | ) | SCHEDULE          |
| Pursuant to the Federal Communications     | ) | TENTATIVELY       |
| Commission’s Triennial Review Order.       | ) | APPROVED BY ORDER |
|  | ) | NO. 2003-667      |
| and  | ) |                   |
|  | ) |                   |
| Docket No. 2003-327-C – Continued          | ) |                   |
| Availability of Unbundled High Capacity    | ) |                   |
| Loops at Certain Locations and Unbundled   | ) |                   |
| High Capacity Transport on Certain Routes  | ) |                   |
| Pursuant to the Federal Communications     | ) |                   |
| Commission’s Triennial Review Order        | ) |                   |

This Order is issued to affirm the schedule of dates, including filing dates of testimony, exhibits, and briefs, tentatively approved by Commission Order No. 2003-667, dated November 7, 2003. Order No. 2003-667 opened the instant dockets and established the hearing dates for the hearings in these dockets. The hearing dates were selected to enable this Commission to receive evidence in the instant dockets and to make a decision in a timely manner to respond to the Federal Communications Commission (“FCC”) pursuant to the FCC’s Triennial Review Order of Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers (“TRO”). The hearing dates adopted by the Commission were proposed by BellSouth Telecommunications, Inc. (“BellSouth”) and

CompSouth, an association of competitive local exchange carriers. The proposed dates for the hearing in South Carolina were part of a comprehensive proposal for the nine-state BellSouth region in an attempt to avoid conflicts concerning hearing dates in the nine-state region.

Along with the proposed hearing dates, BellSouth's and CompSouth's proposed schedule contained a schedule for the filing of testimony, exhibits, briefs, etc. In Order No. 2003-667, the Commission stated that it "tentatively approves the proposed schedule for the filing of testimony, exhibits, briefs, etc."

The Commission issues the instant Order to affirm the proposed schedule for the filing of testimony, exhibits, briefs, etc. that was tentatively approved in Order No. 2003-667. Accordingly, the Commission orders that the schedule of dates for the filing of testimony, exhibits, briefs, etc. as proposed by BellSouth and CompSouth is approved.

The filing dates for testimony and exhibits in Docket No. 2003-326-C concerning the continued availability of unbundled local switching for mass market customers are as follows:

- (1) Direct testimony and exhibits from all parties are due on or before January 29, 2004. Any party filing a model in this proceeding must include information concerning the model in the party's direct testimony and exhibits due on January 29, 2004.
- (2) Rebuttal testimony and exhibits from all parties are due on or before March 12, 2004.
- (3) Surrebuttal testimony and exhibits are due from all parties on March 31, 2004.

The filing dates for testimony and exhibits in Docket No. 2003-327-C concerning continued availability of unbundled high capacity loops at certain locations and unbundled high capacity transport on certain routes are as follows:

- (1) Direct testimony and exhibits from all parties are due on or before March 12, 2004.
- (2) Rebuttal testimony and exhibits from all parties are due on or before March 31, 2004.

The hearings for both dockets are scheduled for the week of April 12 – 16, 2004.

The post-hearing briefing schedule which applies to both dockets is as follows:

- (1) Direct briefs are due on or before May 4, 2004.
- (2) Reply briefs are due on or before May 18, 2004.
- (3) If the Commission decides to hear oral arguments on the briefs, oral arguments will be heard on June 3, 2004.

The parties are reminded to serve all other parties with copies of their testimony, exhibits, and briefs. Service shall be in the manner described in Order No. 2003-730. Parties are further reminded that the service procedures adopted in Order No. 2003-730 are modified from usual procedures of the Commission and that Order No. 2003-730 controls the service of matters in the instant dockets.

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This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



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Mignon L. Clyburn, Chairman

ATTEST:



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Bruce F. Duke, Executive Director

(SEAL)